

THE HONOURABLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.24878 of 2006

-
DATED: 22.02.2007

Between:

Leburu Krishna Reddy.

.. Petitioner

And

Government of Andhra Pradesh,
rep. by its Prl.Secretary to Government,
Irrigation & Command Area Development Dept.,
Secretariat Buildings, Hyderabad, and others

.. Respondents

THE HONOURABLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.24878 of 2006

ORDER:

-

-

The petitioner is said to be one of the Directors of the territorial constituency of Mudivarthi Bit-I Water Users' Association. The elections for the purpose of choosing the President, of the committee, were to take place on 24.11.2006. On a letter addressed by the fifth respondent, the local M.L.A, the first respondent herein, issued orders in G.O.Rt.No.1560, dated 22.11.2006, staying the elections, until further orders. The petitioner challenges the same.

Learned counsel for the petitioner submits that respondent Nos.1 and 5 have grossly misused their power and obstructed the democratic process. He contends that, on noticing that he may not get the candidate of his choice elected, the fifth respondent had addressed a letter, and that the same, found favour with the first respondent.

Learned Government Pleader for the respondents has placed before this Court, a letter dated 09.02.2007, issued by the Commissioner of Command Area Development Department and Principal Secretary to Government, wherein he directed that the elections be conducted within two weeks.

The impugned G.O., presents a very sad picture about the manner in which the matter was dealt with. It has become common, to

scuttle the election process, whenever the circumstances are not in favour of those who are in power. Excuses are searched liberally. If any law and order problem is noticed, the authorities, are required to take proper measures, if necessary by deploying additional forces. The allegation of law and order problem made by the fifth respondent has become handy for the first respondent to direct postponement of elections. In a way, it reflects upon his helplessness, if not, incapacity. Such orders if at all, anything, only put a premium on the persons, who resort to unlawful activities.

Be that as it may, the first respondent has since directed the elections to be conducted.

The Writ Petition is disposed of directing that the elections, that were stayed through the impugned order, shall be conducted within four months from today. Any lapse in this regard, would be treated as a failure on the part of the concerned authorities including the first respondent and the local heads of administration. There shall be no order as to costs.

(L.NARASIMHA REDDY,J)

-
22.02.2007

Note: Issue C.C. in three days

B/o
vv